



State of Florida
Department of Children and Families

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Governor

George H. Sheldon
Secretary

Office of Inspector General

Enhancing Public Trust in Government

REDACTED

IG Investigation

2008 – 0033

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Inspector General

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*“Provide leadership in the promotion of accountability and
integrity of State Government.”*

**Office of Inspector General
Investigations Section
Report Summary
Case Number: 2008-0033**

Introduction:

Section 409.1671, Florida Statutes (F.S.), authorizes the Department of Children and Families (Department) to contract for community-based child welfare services and designate a lead agency to deliver those services. According to Contract #DJ031 between Department Circuit 4 and Family Support Services of North Florida, Inc. (FSSNF) [July 1, 2008 to June 30, 2013¹], FSSNF is the lead community-based care agency in Duval County (Circuit 4). FSSNF subcontracts with a network of providers for the delivery of child protective supervision services, including case management, foster care, and adoptions in Duval County. The network of providers contracted by FSSNF includes Children's Home Society of Florida, Inc. (CHS) [Contract #CHS081 from August 1, 2008 to June 30, 2009²] and Family Support Services of Florida, Inc. (PSIFS) [Contract #PSI081 from August 1, 2008 to June 30, 2009³].

The following timeline includes pertinent information contained in Florida Safe Families Network (FSFN)⁴ and records maintained by CHS and PSIFS:

- October 9, 2001: A child in Duval County named [REDACTED], who has cerebral palsy and is wheelchair bound (then age 3; hereinafter referred to as "child 1") was adjudicated dependent. The Department initially removed child 1 from her mother ([REDACTED]) due to threatened harm, alcohol exposure, and physical abuse based on a series of reports (FSFN Case ID #2478810) received by the Florida Abuse Hotline (Hotline).⁵
- April 24, 2003: Child 1 was reunified with [REDACTED] after [REDACTED] successfully completed her case plan.
- February 20, 2004: The Department again removed child 1 from [REDACTED] custody after [REDACTED] was arrested for child neglect. The court subsequently terminated parental rights.
- May 20, 2004: The Hotline initiated Intake #2004-362977 based on a report alleging sexual molestation of a child named [REDACTED] (then age 8; hereinafter referred to as "child 2") by the father ([REDACTED]). Circuit 4 Child Protective Investigator (CPI) Sheri Baker commenced an investigation on the same day. The case was closed on July 2, 2004, with some indicators of sexual molestation of child 2 by [REDACTED]. The Jacksonville Sheriff's Office initiated a criminal investigation.⁶

¹ Replaces contract #DJ977 that covered the period of July 1, 2003 through June 30, 2008.

² Replaces contract #CHS081 that covered the period of July 1, 2007 through June 30, 2008.

³ Replaces contract #PSI081 that covered the period of July 1, 2007 through June 30, 2008.

⁴ The Florida Safe Families Network is Florida's federally funded Statewide Automated Child Welfare Information System that provides information to support multiple community-based organizations and Sheriff's offices, in partnership with the State of Florida, to identify victims of abuse and neglect.

⁵ The Florida Abuse Hotline serves as the central intake and referral point for all reports of suspected abuse, neglect, or exploitation of children, disabled adults, and the elderly.

⁶ [REDACTED] was not formally charged by the State Attorney's Office for this incident.

- March 15, 2006: Child 1 (then age 7) was placed in the residence of [REDACTED] (a medical foster home)⁸ in Duval County, Florida.
- December 13, 2006: Child 1 (then age 8) was moved out of the [REDACTED] home based on information that [REDACTED] had allegedly sexually abused child 2 in the past (Intake #2004-362977; closed with some indicators), which was discovered during background checks on [REDACTED] in connection with their desire to adopt child 1. Child 1 was placed in the medical foster home of Tina Jenkins for respite care. Two other children in the [REDACTED] home at that time, [REDACTED] (then age 14) and [REDACTED] (then age 6) (hereinafter referred to as “child 3” and “child 4”, respectively) were also moved out of the [REDACTED] home into other foster homes.
- March 18, 2007: The Hotline initiated Intake #2007-347503 based on a report that child 1 was subjected to bizarre punishments. On May 14, 2007, the investigation was closed with no indicators.
- March 20, 2007: The Department revoked [REDACTED] foster care license.
- May 22, 2007: Child 1 was moved from Ms. Jenkins’ foster home to the respite care of [REDACTED].
- May 23, 2007: The Hotline initiated Intake #2007-391371 based on a report alleging that [REDACTED] had sexually molested child 1. Circuit 4 CPI George Robinson commenced an investigation on the same day. Mr. Robinson added an alleged maltreatment of medical neglect of child 1 by [REDACTED] due to child 1 missing medical appointments and not receiving necessary medical services. On June 4, 2007, Mr. Robinson coordinated his investigation with the Jacksonville Sheriff’s Office, who initiated a criminal investigation.⁹
- October 31, 2007: Foster Parent [REDACTED]¹⁰ adopted child 1.

[REDACTED] alleged to the Office of Inspector General (OIG) that:

1. CHS allegedly failed to conduct a criminal background check on [REDACTED] (on or about June 29, 2005) and, in the beginning (October 18, 2005) only licensed his wife ([REDACTED]) to operate the medical foster home. According to [REDACTED], a criminal background check of [REDACTED] was not conducted until after he and [REDACTED] applied to adopt child 1 (about July 2006), at which time it was discovered that there was a prior abuse case and criminal investigation of [REDACTED] for allegedly sexually molesting child 2.
2. CHS failed to timely notify the Department about a Central Abuse Hotline record search that showed a positive result in regards to [REDACTED].

⁷ In some records reviewed during this investigation, [REDACTED] were referred to as “[REDACTED]” and “[REDACTED]” respectively. It was noted that their full names are [REDACTED] and [REDACTED].

⁸ A medical foster home consists of foster parents that are trained to meet the needs of foster children with complex medical needs.

⁹ [REDACTED] was not formally charged by the State Attorney’s Office for this incident.

¹⁰ [REDACTED]

3. After becoming aware of the prior abuse case concerning the alleged sexual molestation of child 2 by [REDACTED], the Department allegedly left child 1 at risk in the [REDACTED] home for more than two months before finally moving her to another foster home.
4. CHS allegedly failed to obtain sexual abuse therapy for child 1 in a timely manner.

Based on the allegations made by [REDACTED], the OIG subsequently initiated an investigation.

Allegations and Findings:

Allegation 1:

CHS Licensing Recruiter Stevie M. Bacon failed to request a local law enforcement agency check on an adult household member of a foster home. If supported, the allegation would constitute a violation of § 409.175(6)(b), F.S.; Rule 65C-13.023(2), F.A.C.; Rule 65C-13.028(5)(a) and (b), F.A.C.; I.C.1 and Attachment IV of Contract #DJ031 between the Department and FSSNF; Article II 2.11. of Contract #CHS081 between FSSNF and CHS; and the Code of Ethics, CHS Employee Handbook.

Findings:

The information obtained *does not support* the allegation.

Allegation 2:

CHS Licensing Recruiter Stevie M. Bacon failed to notify the Department in a timely manner about a Central Abuse Hotline Record Search with positive results. If supported, the allegation would constitute a violation of § 409.175(6)(b), F.S.; Rule 65C-13.023(2), F.A.C.; Rule 65C-13.028(5)(a) and (b), F.A.C.; I.C.1 and Attachment IV of Contract #DJ031 between the Department and FSSNF; Article II 2.11. of Contract #CHS081 between FSSNF and CHS; and the Code of Ethics, CHS Employee Handbook.

Findings:

The information obtained *supports* the allegation.

CHS Licensing Recruiter Stevie M. Bacon stated that his duties include conducting background checks on all new foster parents and renewal for foster parents already licensed for medical foster homes. He said the background checks include local law enforcement agencies, the Florida Department of Law Enforcement (FDLE), the Federal Bureau of Investigation (FBI), and the Hotline. Mr. Bacon quoted the process for requesting and conducting background screening for persons in foster care homes as follows:

- The potential or active foster parent (for re-licensing) first completes an information form for all household members, including full names, current and previous addresses, Social Security numbers, and dates of birth.
- CHS Administrative Secretary Judy Lee submits the form to the Jacksonville Sheriff's Office for the local agency check.

- FDLE and FBI checks require the persons being screened to visit the CHS office, where they pay a fee for the screening and complete an Affidavit of Good Moral Character form, which Ms. Lee notarizes.
- The Hotline, FDLE, and FBI checks are handled by FSSNF.
- Ms. Lee sends the completed record checks back to him (Mr. Bacon), after which he compiles a package containing all necessary documentation.
- Mr. Bacon submits the package to the Department, who approves or denies the license.

Mr. Bacon related that in June 2005, he requested a Central Abuse Hotline Record (CAHR) search on [REDACTED] as part of the initial foster care licensing process, and received a response from FSSNF indicating no record of any prior abuse report involving either of them (July, 2005). Mr. Bacon admitted that he did not request a local law enforcement agency check on [REDACTED] as part of the initial licensing process because [REDACTED] was not living in the home at that time due to a military deployment. Due to that, Mr. Bacon could not have a background conducted because he needed [REDACTED] fingerprints. Mr. Bacon further stated that in July 2006, he requested a second CAHR search on [REDACTED] in connection with the annual re-licensing process and recalled that the response from FSSNF identified two prior abuse reports (Intakes #2004-362977 and #2005-504584). Mr. Bacon said he also requested a local law enforcement agency check in July 2006 as part of the background screening for re-licensing the [REDACTED] home after learning that [REDACTED] had returned to the home.¹¹ Mr. Bacon related that during the re-licensing process (July 2006), background checks were completed with the local law enforcement agency (Jacksonville Sheriff's Office), the Hotline, FDLE, and the FBI on [REDACTED] because [REDACTED] had returned to the home.

Mr. Bacon stated that he became aware (July 14, 2006) of the two prior child abuse reports involving [REDACTED]; however, he admitted that he did not analyze and process the information regarding the prior abuse reports in a timely manner. He explained that he "forgot" that [REDACTED] was not included in the background screening for the initial licensing during October 2005. Mr. Bacon also admitted that he did not submit the re-licensing package for the [REDACTED] home to his supervisor (CHS Statewide Program Director Tracy McDade) until October 2, 2006 (more than two months after he received the background check results). Mr. Bacon explained that the delay was caused by the fact that several items (not specified) needed to be added to the packet; the sanitation report needed completion; and the lead report needed completion. He said he then coordinated the two prior abuse reports with Department Northeast Regional Family Services Specialist Samuel Norris, and attended a Foster Care Review Committee with Mr. Norris, Ms. McDade, and Department Northeast Regional Program Administrator Aida Seeraj on October 10, 2006, at which time the issue was further discussed [It is noted that Mr. Bacon failed to document any of this activity in FSFN.].

¹¹ Mr. Bacon did not document the actual date [REDACTED] returned (or reported he returned) to the household and FSFN does not contain any documentation of an exact return date. According to FSFN case #93520, PSIFS Family Services Counselor Veronica Thompson first mentions [REDACTED] being back in the household during a home visit she made at the [REDACTED] household on May 9, 2006.

CHS Administrative Secretary Judy Lee stated she handles all requests for background screening checks for CHS. The requests are submitted to her by CHS licensing employees and Family Services Counselors, and are contained on a document identified as a CAHR request form. Ms. Lee related she makes sure that all necessary information is contained in each request. She stamps each request with the date received and forwards the requests to FSSNF Director of Data Management Robert Rotar. Ms. Lee stated she sends the CAHR forms to Mr. Rotar on the same day she receives the forms. She also sends the completed record checks from Mr. Rotar back to the requestor on the same day she receives the results. Ms. Lee said CHS Licensing Recruiter Stevie M. Bacon initially provided the CAHR form for [REDACTED], dated June 29, 2005, to her¹² for submission to Mr. Rotar. She stated that the results for that review were examined and signed by Mr. Rotar on July 17, 2005, and provided to Mr. Bacon that same day. She had no explanation for why the verification took approximately two weeks. Ms. Lee explained that when it became time for the yearly renewal for the [REDACTED] household license, Mr. Bacon submitted a CAHR (dated July 11, 2006) that this time included a request for both [REDACTED]. She submitted this form to Lee Durbin (who had replaced Mr. Rotar) and she sent the results to Mr. Bacon on or about July 14, 2006. According to Ms. Lee, it is the requestor's (in this case Mr. Bacon's) responsibility to ensure that the results are provided to the Department in a timely manner.

CHS Statewide Program Director for Adoptions Tracy McDade stated that she did not receive the [REDACTED] renewal licensing packet from Mr. Bacon until October 2, 2006. Ms. McDade said that based on the results of a CAHR search, which identified prior child abuse reports involving [REDACTED], she instructed Mr. Bacon to notify the Department of the prior reports.

Department Northeast Regional Administrator for Foster Care Licensure and Background Screening Aida Seeraj confirmed that on October 10, 2006, a Foster Care Review Committee (FCRC) staffing was held due to the Hotline reports pertaining to [REDACTED]. Ms. Seeraj reported that [REDACTED] was initially licensed as a medically needy foster home on October 18, 2005. She said that although [REDACTED] was legally married at the time of the application, [REDACTED] was on military deployment. Ms. Seeraj stated that because [REDACTED] was on deployment, a complete background check could not be completed (including a CAHR search, a local law enforcement check, an FDLE check, and an FBI check) because they could not submit his fingerprints. Ms. Seeraj indicated that the CAHR search dated July 17, 2005 (requested by Mr. Bacon), did include both [REDACTED] names and demographic information; however, since [REDACTED] was not in the household, the check was completed on [REDACTED] only, and the initial licensure was for [REDACTED] only.

Ms. Seeraj further reported that during the re-licensure process for the [REDACTED] license in June-July 2006, a second CAHR search form (requested by Mr. Bacon) was completed on July 11, 2006. She explained that this form reflected that [REDACTED] was back in the household, and that [REDACTED] had two (04-362977 and 05-504584) Hotline reports. Ms. Seeraj stated that Mr. Bacon did not notify the Department of these reports. She stated that this information was discovered by Northeast Region Family Services Specialist Samuel Norris on October 6, 2006, when Mr. Norris reviewed the re-licensure packet received from Mr. Bacon on October 4, 2006.

¹² The forms are not date stamped when received.

She confirmed that Mr. Norris is the individual who requested the FCRC staffing (conducted October 10, 2006).

Department Northeast Regional Family Services Specialist (RFSS) Samuel Norris related that [REDACTED] was licensed on October 18, 2005 to operate a medical foster home. Mr. Norris said that on October 6, 2006, while reviewing the re-licensure packet from CHS (Mr. Bacon) for [REDACTED], he noticed that the packet contained a CAHR search, which had been completed on [REDACTED]. Mr. Norris said the CAHR search listed two prior abuse reports (Intake #2004-362977 and #2005-504584). Mr. Norris confirmed that he notified Ms. Seeraj and requested the subsequent FCRC staffing.

Allegation 3:

Department Northeast Regional Assistant Counsel Robin Whipple-Hunter failed to ensure that foster children were moved from an unsafe environment in a timely manner. If supported, the allegation would constitute a violation of § 409.175(13), F.S.; and Paragraph 16.a., CFOP 175-15.

Findings:

The information obtained *does not support* the allegation.

Foster Parent [REDACTED], alleged that the Department left child 1 at risk in the foster care of [REDACTED] for more than two months after they became aware in October 2006 of a prior abuse report concerning [REDACTED]. [REDACTED] related that the abuse report was closed with some indicators of sexual molestation of child 2 by [REDACTED] (Intake #2004-362977 initiated on May 20, 2004). [REDACTED] related that CHS and Department employees were present at a FCRC meeting in October 2006, at which time it was decided that child 1 would be left in the home of [REDACTED] and his wife ([REDACTED]) pending the results of the Child Protection Team (CPT) report concerning child 2. According to [REDACTED], during the FCRC meeting, Department Senior Attorney Robin Whipple-Hunter placed a hold on the [REDACTED] home so that no other children could be placed there; however, child 1 remained in the home. [REDACTED] said the CPT report, which the Department and CHS did not receive until December 2006, confirmed that [REDACTED] had sexually molested child 2. [REDACTED] indicated that child 1 was not moved out of the [REDACTED] home until December 15, 2006. According to [REDACTED], child 1 subsequently alleged that she was sexually molested by [REDACTED] during the entire ninth-month period she spent in the [REDACTED] home (March 15, 2006 to December 15, 2006).

Department Northeast Regional Program Administrator for Foster Care Licensure and Background Screening Aida Seeraj reported that the Department received the re-licensure packet for the [REDACTED] medical foster home from CHS on October 4, 2006. She stated that on October 6, 2006, RFSS Samuel Norris was reviewing the re-licensure information and noticed a match for [REDACTED] to two prior Hotline reports (Intake #2004-362977 and #2005-504584). He also discovered that Intake #2004-362977 indicated there was a sexual molestation investigation, with [REDACTED] named as the alleged perpetrator, which had been closed with some indicators of sexual molestation. She said that based on this discovery, Mr. Norris requested (that same day) a FCRC staffing, which was conducted October 10, 2006.

Ms. Seeraj said that the 2004 Hotline report had been closed with some indicators of sexual molestation; however, it was not clear why the investigation had not been fully resolved, and due to that, there was a concern for the safety of the children in the [REDACTED] home. She stated that the FCRC staffing included Department Northeast Regional Assistant Counsel Robin Whipple-Hunter, who was consulted in regards to what actions could be taken. She stated Ms. Whipple-Hunter advised that the home was a medical foster home and more information was needed since the "some indicators" report was not legally sufficient to proceed with the removal of the children. She stated the FCRC decided that a provisional license would be issued to the [REDACTED] with a "no placement hold" in order to avoid the removal of the three foster children and to make sure that no additional children were placed in the home.

Ms. Seeraj reported that Mr. Norris was tasked with obtaining the information on the 2004 Hotline investigation, to include the Child Protection Team (CPT) report, the police report, and any other documentation needed to assess the safety of the children in the home.¹³ She stated that the Hotline investigation occurred in Marion County, FL, and there were problems in obtaining the documentation.¹⁴ Ms. Seeraj said that Mr. Norris received the documentation (date not stated) and a FCRC staffing was held the next day (December 13, 2006). She stated Ms. Whipple-Hunter reviewed the CPT information and indicated that since the testimony of the abused child was credible, there was legal sufficiency to remove the children and deny the license. She said that on that same day, CHS was instructed to call in a Hotline report on the [REDACTED] in order to have the foster children in the home interviewed for possible exposure to sexual abuse.¹⁵ The Department informed Dependency Court Judge Waddell Wallace of the new information pertaining to the [REDACTED], and as a result, the foster children were removed on December 13, 2006.¹⁶

Department Northeast Regional Family Services Specialist Samuel Norris related that on October 6, 2006, while reviewing the re-licensure packet from CHS for [REDACTED], he noticed that the packet contained a CAHR search, which had been completed on [REDACTED]. Mr. Norris said the CAHR search listed two prior abuse reports (Intakes #2004-362977 and #2005-504584). Mr. Norris advised that the Hotline initiated Intake #2004-362977 on May 20, 2004, based on a report that [REDACTED] allegedly sexually molested child 2. He further advised that Intake #2005-504584 was initiated by the Hotline on December 12, 2005. The report alleged physical injury, inadequate supervision, hazardous conditions, and family violence threatening [REDACTED] two grandchildren [REDACTED] (then age 8) and [REDACTED] (then age 6) (hereinafter referred to as "child 5" and "child 6", respectively) following a domestic violence incident involving [REDACTED] and the children's mother ([REDACTED]).¹⁷ According to Mr. Norris, there was no indication that [REDACTED] had been interviewed regarding Intake #2004-362977, as [REDACTED] was out-of-state (on military deployment) when the report was received. Mr. Norris related that he immediately briefed Ms. Serraj, and per his (Mr. Norris') request, Ms. Seeraj convened a FCRC staffing on October 10, 2006 to discuss the situation. Mr. Norris said that Ms. Whipple-Hunter determined that more information was needed and that no action would be taken until the CPT report concerning child 2 was obtained and reviewed. Mr.

¹³ Ms. Seeraj reported that FCRC meetings were then held on October 31, 2006, December 13, 2006, January 17, 2007, January 26, 2007, and March 20, 2007, all in relation to the re-licensure.

¹⁴ The difficulties will be described in the testimony of Mr. Norris later in this allegation.

¹⁵ Intake Report #2006-507246.

¹⁶ The revocation of the license did not actually occur until April 10, 2007.

¹⁷ Intake #2005-504584 was closed on January 30, 2006, with no indicators of any of the alleged maltreatments.

Norris recalled that he received the case file for Intake #2004-362977 around October 17, 2006, but did not contain the information needed (the police investigation and the CPT report). The CPT report was finally located by the Marion County CPT and faxed to him on December 12, 2006, and after he reviewed it and found the information given by the child victim in the CPT report was credible, he reported it to Ms. Seeraj, and the FCRC staffing was held the next day (December 13, 2006).

Department Northeast Regional Assistant Counsel Robin Whipple-Hunter stated that on or about October 10, 2006, she participated in the FCRC staffing chaired by Ms. Seeraj concerning [REDACTED] foster home. Ms. Whipple-Hunter said she was informed about Intake #2004-362977 regarding the alleged sexual molestation of child 2 by [REDACTED]. Ms. Whipple-Hunter stated that if Intake #2004-363977 had been closed with verified findings of sexual molestation, she would have recommended immediate removal of child 1 and the other foster children in the [REDACTED] home. She said that since Intake #2004-362977 was closed with some indicators of the allegation rather than verified findings, she advised Ms. Seeraj and the others in attendance at the FCRC staffing that more information was needed to establish the legal sufficiency for the immediate removal of the foster children in the [REDACTED] home; adding, however, that under the circumstances, she recommended that no other children be placed in the [REDACTED] home until additional information related to Intake #2004-362977 could be obtained and reviewed. Ms. Whipple-Hunter further stated that on or about December 13, 2006, she participated in another FCRC staffing, at which time additional information related to Intake #2004-362977 (including the CPT and law enforcement reports) was discussed. Based on the additional information received, Ms. Whipple-Hunter said there was legal sufficiency to remove child 1 and the other foster children from the [REDACTED] home. Ms. Whipple-Hunter related that an emergency hearing was scheduled before Dependency Court Judge Waddell Wallace (that same day), after which child 1 and the other foster children were removed from the [REDACTED] home.

Department Counsel for Quality Assurance, Children's Legal Services (CLS), John H. Traphofner opined that the approach taken by Ms. Whipple-Hunter was clearly appropriate. According to Mr. Traphofner, Ms. Whipple-Hunter asking for additional information before rendering a removal opinion was the correct action to take. He explained that in 2006, the Department's legal counsels attended the staffings to render opinions, not decisions, unless there was a question of legal sufficiency. He stated that Ms. Whipple-Hunter's request for more information clearly showed she was seeking legal sufficiency to make the decision to remove the children from the medical foster home, and to possibly also revoke the home's license.

Allegation 4:

PSIFS Family Services Counselor Veronica Thompson failed to obtain psycho-sexual therapy for a child victim in a timely manner. If supported, the allegation would constitute a violation of Paragraph 1-4.d., CFOP 155-10; I.C.1 and Attachment IV of Contract #DJ031 between the Department and FSSNF; Article II 2.11. and Attachment 1B.3.(b) and (c) of Contract #PSI081 between FSSNF and PSIFS; and the PSIFS Employee Handbook.

Findings:

The information obtained *does not support* the allegation.

According to information contained in FSN, the Hotline initiated Intake #2007-391371 on May 23, 2007, based on a report alleging medical neglect of child 1 by [REDACTED], and sexual abuse of child 1 by [REDACTED]. Department Circuit 4 CPI George M. Robinson commenced an investigation the next day (May 24, 2007). The case was closed on July 19, 2007, with verified findings of medical neglect and some indicators of sexual abuse. Intake #2007-391371 contained the following pertinent information in the Chronological Notes Reports:

- May 26, 2007: Department Circuit 4 Child Protective Investigator Supervisor Chandara F. Arvingar entered a note stating, "Please make certain that [child 1] is referred to counseling to help deal with the issues regarding the [sexual abuse]."
- June 1, 2007: Child 1 was interviewed by CPT Case Coordinator Stephanie Cox in the presence of Department Circuit 4 CPI George Robinson and PSIFS Family Services Counselor Veronica Thompson. Child 1 gave a history with details of being sexually abused by [REDACTED] and medically neglected by [REDACTED]. Ms. Cox considered child 1's statements to be credible.

A FSSNF Funding Request Form and Authorization for Purchase of Therapeutic Services for child 1 contained the following pertinent information:

Funding Request Form

Requestor: Veronica Thompson

Services to be provided & justification: Individual counseling

Length of Service/Number of Sessions: 3 months

Authorization for Purchase of Therapeutic Services

Type of Service Requested¹⁸

✓ Individual Counseling

Provider Name

Dr. Neidigh

Cost

60.00 per sess¹⁹

Justification for Request

Dr. Yates recommended therapy.

6/18/07 9/18/07

Authorization Period Requested

Approved by: [Signature in the name of Willeen Hadley] Date: 6/18/2007

A Special Case Staffing Form completed by PSIFS Quality Management Staff Member Maria Varnado Jones, initiated on June 15, 2007 and amended on July 12, 2007, stated, in part, under Recommendations that "[Child 1] will engage in psychotherapy with [Theresa Crockett, M.Ed., LMHC, Community Behavioral Services] at Dr. Neidigh's office. [Child 1] will follow all treatment recommendations with the assistance of her foster family and/or [PSIFS] case manager." There was no mention of psycho-sexual therapy or any other type of sexual abuse therapy.

¹⁸ "Psycho-Sexual Evaluation" and "Individual Counseling" were among the 13 types of services listed; however, only Individual Counseling was checked.

¹⁹ Short for session.

PSIFS Team Coordinator/Assistant Program Director Willeen D. Hadley stated she has been Ms. Thompson's direct supervisor since July 2005. Ms. Hadley stated she first became aware of child 1's case when CHS placed child 1 in the medical foster home of [REDACTED] (March 15, 2006). Ms. Hadley said Ms. Thompson was child 1's caseworker. Ms. Hadley related that in May 2007, the Hotline received an abuse report regarding child 1 (Intake #2007-391371). Ms. Hadley explained that Ms. Thompson scheduled a psychological evaluation of child 1 by Dr. Phillip Yates for June 8, 2007. In his report dated June 11, 2007, Dr. Yates recommended individual counseling for child 1. Ms. Hadley further stated that she (Ms. Hadley) approved Ms. Thompson's request to schedule child 1 for therapeutic services on June 18, 2007, in connection with possible sexual abuse. Ms. Hadley indicated that child 1 began receiving therapeutic services from Dr. Larry Neidigh's Community Behavioral Services on June 27, 2007. Ms. Hadley stated that, to the best of her knowledge, child 1 continued to receive treatment from Community Behavioral Services, P.A., including sexual abuse counseling, until September 2007. Ms. Hadley said that based on her knowledge of Ms. Thompson's handling of child 1's case, Ms. Thompson did not medically neglect child 1. Regarding the aforementioned Authorization for Purchase of Therapeutic Services that she (Ms. Hadley) signed on June 18, 2007, Ms. Hadley stated she did not know why Ms. Thompson checked Individual Counseling instead of Psycho-Sexual Evaluation.

PSIFS Family Services Counselor Veronica Thompson stated she became child 1's caseworker in March 2005. Ms. Thompson recalled that following an abuse report received in May 2007, child 1 received a psychological evaluation from Dr. Phillip Yates on June 8, 2007, at which time counseling was recommended. Ms. Thompson stated she referred child 1 to Community Behavioral Services²⁰ for counseling, which began on June 27, 2007. Ms. Thompson added that a Comprehensive Assessment of child 1 on July 8, 2007 recommended that counseling continue. Ms. Thompson indicated that on August 10, 2007, child 1 received a second psychological evaluation from Dr. Yates, who also recommended that counseling continue. Ms. Thompson related that child 1 received counseling at Community Behavioral Services until the end of August 2007, and in September 2007, child 1 began receiving counseling from another provider (Grace House)²¹. According to Ms. Thompson, the treatment that child 1 received at Dr. Neidigh's Community Behavioral Services included sexual abuse counseling. Regarding the Authorization for Purchase of Therapeutic Services signed by PSIFS Team Coordinator/Assistant Program Director Willeen D. Hadley on June 18, 2007, Ms. Thompson claimed that she (Ms. Thompson) checked "Individual Counseling" instead of "Psycho-Sexual Evaluation" because she was waiting for the results of child 1's CPT examination conducted on June 1, 2007, which she never received.

The Comprehensive Assessment Report referenced by Ms. Thompson was submitted by PSIFS Licensed Clinical Social Worker Jackie Hardy on July 9, 2007. The Comprehensive Assessment Report mentioned that child 1 received counseling provided by Community Behavioral Services, P.A.; however, it did not specify that psycho-sexual therapy or any other type of sexual abuse therapy was provided.

²⁰ Community Behavioral Services is a mental health provider in Orange Park, FL, that provides mental health counseling; psychological testing; anger management classes, and a six month sexual offender program for anyone over the age of three years old.

²¹ Grace House is a mental health provider in Orange Park, FL, that provides mental health counseling for anyone over the age of three years old.

Ms. Thompson provided a copy of a letter from Licensed Mental Health Counselor Theresa A. Crockett, Community Behavioral Services, which contained the following quoted information in pertinent parts:

[Child 1] was seen in this office for a total of 5 sessions between the dates of 6/27/07 and 10/02/07.

Presenting issue was disruption in primary support network with identified behaviors of attachment disorder.

Appropriate behaviors in the home, compliance, sibling rivalry, appropriate touching, and fears of not being adopted were included in sessions.

The OIG research of Florida Statutes, Florida Administrative Code, Department CFOPs, and provider policies/procedures revealed that there is no requirement that the counselor request a specific type of counseling. CFOP 155-10, 1-4 d. indicates in part the following: "Both the screening and referral for further assessment, if indicated, will be completed within 30 days of the child being placed into out-of-home care by the Department or its agent." CFOP 175-88 establishes the procedures and safeguards for identifying and assisting children in substitute care who are known alleged juvenile sexual offenders, sexual aggressors, or sexually reactive children, or who are known victims of sexual abuse. Paragraph 6.d., CFOP 175-88 states as follows:

If any child in substitute care has been identified as being a victim of sexual abuse or has a history of being sexually aggressive, but has not had a clinical consultation with a professional trained in childhood sexual abuse, a referral will be *initiated* by the assigned family services counselor or their supervisor *within three working days* (of the child being identified). The consultation will address the treatment, service and placement needs of the child and will yield a written report to be filed in the child's file.

This policy was adhered to by Ms. Thompson and there are no other directives within this policy mandating that a specific type of treatment be requested by a counselor.

Risk Assessment:

1. The following information pertains to the children identified in this report:

- Child 1: In November 2007, child 1 was adopted by [REDACTED].
- Child 2 and Child 3: According to Department Northeast Region Family Safety Program Supervisor Susan M. Bell, the family was referred to community services (counseling for child 2 and child 3 and daycare in Marion County) upon closure of Intake #2004-362977 on July 2, 2004. Ms. Bell stated there was no further supervision of child 2 or child 3 until November 22, 2006, when they were both placed with their paternal grandparents ([REDACTED]) following removal from their mother's custody.
- Child 4: Ms. Bell advised that child 4 was placed in the Coffey foster home from December 14, 2006 to March 9, 2007, when he was reunified with his mother. According

to Ms. Bell, child 4 received services while in foster care and after being returned to his mother's custody. Ms. Bell further advised that after child 4 was reunited with his mother, the Hotline received a report (Intake #2007-505174 on November 19, 2007) alleging child-on-child sexual abuse and identifying child 4 as the perpetrator while child 4 was previously in foster care. The case was closed without identifying the alleged victim (a female younger than child 4). Services for child 4 continued.

- Child 5: Ms. Bell advised that upon child 5's removal from the [REDACTED] home on December 13, 2006, he was placed in another foster home and subsequently moved into three more foster homes before being reunited on September 4, 2007, with his father, in whose custody he remains. While in foster care, child 5 received therapeutic services.

2. Intake #2007-391371 contained the following pertinent information in the Chronological Notes Reports regarding former Foster Parents [REDACTED]:

- May 23, 2007: The Hotline initiated Intake #2007-391371 based on a report alleging sexual abuse of child 1 by [REDACTED] and medical neglect of child 1 by [REDACTED]. Department Circuit 4 CPI George M. Robinson commenced an investigation on May 24, 2007.
- July 6, 2007: Department Circuit 4 CPI April McLaughlin coordinated the case with the Jacksonville Sheriff's Office (JSO), who indicated there was a credibility issue regarding child 2 in the prior sexual abuse case (Intake #2004-362977) involving [REDACTED]. JSO further indicated, however, that after reviewing the video-taped CPT interview of child 1, they considered child 1 to be credible and would present the information to the State Attorney's Office, Fourth Judicial Circuit (in and for Duval County). JSO advised that [REDACTED] was currently deployed overseas with the military and [REDACTED] had relocated to Tennessee.
- July 16, 2007: Ms. McLaughlin coordinated the investigation with the Naval Criminal Investigative Service (NCIS), who indicated they would contact JSO and initiate an inquiry.
- July 19, 2007: Ms. McLaughlin contacted a representative of the Foster Care Division of the Tennessee Department of Children Services, who advised that [REDACTED] could be red-flagged if they apply for a foster care license in Tennessee. Intake #2007-391371 was closed on the same day (July 19, 2007) with verified findings of medical neglect of child 1 by [REDACTED] and some indicators of sexual abuse of child 1 by [REDACTED].

Inspector General's Comments:

The allegation regarding Children's Home Society, Inc. Licensing Recruiter Stevie M. Bacon failing to request a local law enforcement agency check on an adult household member of a foster home was **not supported** based on the fact that the member in question was not a household member at the time of initial licensing.

Based on the admissions of Children's Home Society, Inc. Licensing Recruiter Stevie M. Bacon, the allegation concerning his failure to notify the Department in a timely manner about a Central Abuse Hotline Record Search with positive results is **supported**.

The alleged failure of Department Northeast Regional Assistant Counsel Robin Whipple-Hunter to ensure that three foster children were removed from an unsafe environment in a timely manner was ***not supported***. Due to concern over the prior abuse report that was closed with some indicators of sexual abuse of another child by the adult male in the foster home, Ms. Whipple-Hunter, in an advisory capacity, recommended that no more children be placed in the home. She further recommended that more information be obtained pertaining to the allegation. Upon review of updated new information (in particular, the Child Protection Team report confirming that there was credible evidence that the child victim had been abused) that took nearly two months to obtain (from October 17, 2006 to December 13, 2006), Ms. Whipple-Hunter recommended the removal of child 1 and any other children in the home; requested an emergency hearing; and had the children removed.

The alleged failure of PSI Family Services of Florida, Inc. Family Services Counselor Veronica Thompson to obtain psycho-sexual counseling for child 1 in a timely manner is ***not supported***. Ms. Thompson requested counseling for child 1 on June 18, 2007 (shortly after a CPT examination of child 1 indicated that the sexual abuse as alleged by child 1 was credible), a request that fell within the 30-day period addressed in Paragraph 1-4.d., CFOP 155-10; however, she did not specifically request a psycho-sexual evaluation. It is recommended that the Assistant Secretary for Programs consider revising CFOP 155-10 to require that counselors delineate the specific type of therapy/counseling most appropriate for the child involved.

It is recommended that the Northeast Regional Director provide a copy of this report to the Chief Executive Officers of Family Support Services of North Florida, Inc. and Children's Home Society of Florida, Inc. for corrective action deemed appropriate.

In compliance with §20.055(6)(e), F.S., a copy of this report was provided to Mr. Bacon and Ms. Thompson on December 22, 2008. No response was received from Mr. Bacon or Ms. Thompson.

This investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.